IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1978 OF 2006
IN
SUIT NO.1699 OF 2006

S.R.Vishwakarma ....Plaintiff
V/s.
H.R. Vishwakarma & Ors. ....Defendants

Mr.S.J. Ghogare for the Plaintiff.
Mr.R.L. Dharia for Defendant No.2.

CORAM : S.J. VAZIFDAR, J.
DATED : 25TH AUGUST, 2006.

P.C. :

1. By consent the Notice of Motion is placed on board and called out for hearing.

2. An amount of about Rs.1,55,379=71 ps. is lying with the third Defendant, State Bank of India. The dispute is as to which of the parties is entitled to the same. It is not desirable that the amount lies in a saving account.

3. It would be to the benefit of all the parties if the amount is invested.

4. In the circumstances the said amount shall be

invested in a fixed deposit of the third Defendant initially for a period of one year and thereafter for like periods of one year each subject to further orders. The said deposit shall be in a no lien account and to the credit of this suit. This order is obviously without prejudice and subject to the amount being available with the third Defendant.

5. The Notice of Motion is accordingly disposed of.